



FAIR WORK  
AUSTRALIA

19 May 2010

Mr Scott McLean  
State Secretary, Tasmania Branch  
Construction, Forestry, Mining and Energy Union  
33A New Town Road  
NEW TOWN TAS 7008

Dear Mr McLean

**Re: Application for certificate of exemption from requirements of Chapter 8, Part 3 of *Fair Work (Registered Organisations) Act 2009* (FR2009/10236)**

I refer to your application for the above certificate in respect of the Tasmania Branch of the Construction, Forestry, Mining and Energy Union for the financial year ending 31 December 2009.

I have granted the application. My certificate is enclosed.

Yours sincerely

Barry Jenkins  
Delegate of the General Manager, Fair Work Australia



FAIR WORK  
AUSTRALIA

# CERTIFICATE

*Fair Work (Registered Organisations) Act 2009*

s.271 – Exemption from requirements of Part 3 in respect of financial year

**Construction, Forestry, Mining and Energy Union**  
(FR2009/10236)

BARRY JENKINS

SYDNEY, 19 MAY 2010

*s.271 Certificate*

[1] On 14 May 2010 an application was made under section 271(1) of the *Fair Work (Registered Organisations) Act 2009* for a certificate of exemption by the Construction, Forestry, Mining and Energy Union, Tasmania Branch, in respect of the financial year ending 31 December 2009.

[2] I allow an additional period of time for the application to be made up to the date on which the application was lodged.

[3] I CERTIFY that I am satisfied that the branch did not have any financial affairs in the financial year ending 31 December 2009.



DELEGATE OF THE GENERAL MANAGER  
FAIR WORK AUSTRALIA

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<Price code A PR997154 >



31 December 2009

The General Manager  
Fair Work Australia  
Level 8 – Terrace Towers  
80 William Street  
East Sydney NSW 2011

Attention: Stephen Kellett



**Re: Application for Certificate of Exemption from Financial Reporting under S271 RAO Schedule**

**Construction  
Forestry  
Mining &  
Energy  
Union**

I am Secretary of the Construction Forestry Mining and Energy Union, Tasmanian Branch ("the Branch") and have occupied that position for the financial year ending 31 December 2009 ("the financial year"). I am authorized under the rules to act on behalf of the Branch.

Pursuant to S271 of the Registration and Accountability of Organisations Schedule (Schedule 1B) of the Workplace Relations Act 1996 (referred to as "the RAO Schedule"), I hereby apply for a Certificate of Exemption for the Branch in respect of the financial year.

In support of this application, and in compliance with Regulation 165 of the Workplace Relations (Registration and Accountability of Organisations) Regulations, I submit the following circumstances for consideration prior to issuing a certificate of exemption from the requirements as follows:

- a. The Branch does not expend economic resources or incur any financial obligations to conduct its activities;
- b. The Construction Forestry Mining and Energy Union – Forestry & Furnishing Products Division – Tasmanian Branch expends its own economic resources and incurs financial obligations so that the Branch may conduct its activities.
- c. No person or body corporate or trust expends its own economic resources or incurs financial obligations so that the Branch may conduct its activities.

Further in support of this application I submit as follows:

1. The CFMEU consists of a number of Divisions;
2. There exists a number of Divisional Branches (or in the case of the Mining and Energy Division "District Branches") within these Divisions. Such Divisional (or District) Branches function within a designated geographical area, in most cases being the State or Territory in which they are established.

State President:

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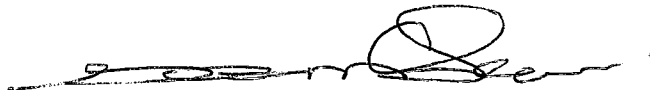
State Secretary:

**SCOTT MCLEAN**  
PO Box 1562  
Launceston TAS 7250

Telephone: (03) 63 317 955  
Facsimile: (03) 63 342 935

3. The CFMEU and each Division and Divisional (or District) Branch thereof submit annual financial returns in accordance with the Act.
4. The CFMEU State Branches, including the Branch, consist of members and officers of each Divisional (or District) Branch in each State or Territory.
5. As outlined in point a. above, the Branch has not traded or carried out financial transactions of any kind during the financial year.
6. The Branch has not had an account with a Bank or any other financial institution nor has it had custody or any real property or monies during the financial year.
7. Accordingly, the Branch had no reason to keep accounting records during the financial year.
8. Notwithstanding the above, the Branch has functioned in accordance with the rules of the CFMEU including the rules relation to branches.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Scott McLean', with a large, stylized flourish at the end.

**Scott McLean**  
**Divisional State Secretary**  
**CFMEU Tasmanian Branch**

cc C Hinds & T Benson

12 January 2010

Mr Scott McLean  
State Branch Secretary, Tasmania Branch  
Construction, Forestry, Mining and Energy Union  
33A New Town Road  
NEW TOWN TAS 7008



Fair Work  
Australia

Dear Mr McLean

**Financial Reporting – Tasmania Branch - for year ended 31 December 2009 (FR2009/10236)**

This is a letter to remind you of the financial reporting obligations under the *Fair Work (Registered Organisations) Act 2009* ('the RO Act') in respect of the Tasmania Branch of the federally registered Construction, Forestry, Mining and Energy Union (i.e. *not* the Divisional Branch).

In past years (with the exception of the year ending 31 December 2008 about which I am writing to you separately) an application under s271 of the Act - for an exemption on the basis of no financial affairs - has been made.

Applications under s271 may be lodged electronically at [riasydney@fwa.gov.au](mailto:riasydney@fwa.gov.au), or alternatively, by facsimile at (02) 9380 6990.

Unless an application under s271 is made and granted, the obligation to lodge a financial return in accordance with the Act in respect of this Branch remains.

Relevant references may be found at <http://www.fwa.gov.au/index.cfm?pagename=regorgsfrguidelines> and <http://www.fwa.gov.au/index.cfm?pagename=legislationfwroact>. If you are in any doubt as to the requirements or wish to clarify any aspect of the relevant legislation, or anticipate any difficulty in complying with the requirements, do not hesitate to contact Fair Work Australia.

Yours sincerely,

Stephen Kellett  
Statutory Services Branch

Fair Work Australia  
Level 8, 80 William Street  
EAST SYDNEY NSW 2011

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